

REMARKS

By this Amendment, Claims 1 - 5 have been canceled and a new claim, Claim 6, has been substituted therefor.

Claim 6 recites a combination of structural elements and cooperative relationships therebetween which are not taught or suggested by Frank, U.S. Patent No. 5,649,502, or other prior art of record.

Claim 6 is directed to a handheld pet animal bathing utensil of unique character and which is readily employed to provide effective cleaning of an animal's fur coat while at the same time controlling water flow to reduce splashing. The utensil serves to simultaneously deliver a plurality of streams of flowing water to the base of the animal's fur coat and to the outer portion of the animal's fur coat to displace entrapped insulation air in the animal's fur coat and effectively bathe the animal.

The claimed utensil includes a housing defining a chamber for receiving water from a source of pressurized water. The housing, as claimed, has a housing surface defining an array of spaced ports in fluid flow communication with the chamber.

In addition, the claimed utensil includes an array of spaced, rigid tubular extensions projecting outwardly from the housing surface and in fluid flow communication with the chamber.

The claimed array of spaced, rigid tubular extensions surrounds the array of spaced ports and the spaced, rigid tubular extensions have open distal ends spaced from the ports and disposed generally in a common plane.

It is further recited that the spaced, rigid tubular extensions are of sufficient length to penetrate the animal's fur coat and deliver water from the chamber to the base of the animal's fur coat through the open distal ends thereof when the ports deliver water from the hollow chamber to the outer portion of the fur coat.

The claimed spaced, rigid tubular extensions are operable to create a cushion of water over the animal's skin reducing friction between the utensil and the animal and cooperable with the animal's fur coat to reduce pressure and velocity of water after exiting the ports and open distal ends to reduce splashing and enabling gravity to direct excess water from the bathing utensil down a side or sides of the animal.

The sole prior art patent utilized in the rejection of Claims 1 - 5 is Frank.

The device of Frank is very different from applicant's claimed invention and Frank cannot possibly operate in the manner of applicant's invention. All water in the Frank device exits outwardly extending, flexible hollow tubes 32 which are of the same length. Thus, water exiting into the animal's fur will be

at the same depth. Furthermore, the flexibility of the hollow tubes will result in continual changes of direction of water flow, resulting in splashing of the user and surrounding area. Furthermore, the arrangement of Frank will not simultaneously and separately direct water to the fur coat base and the outer portion of the fur. The flexible members 32 will not be operable to create a cushion of water over the animal's skin reducing friction between the utensil and the animal and cooperable with the animal's fur to reduce pressure and velocity of water to reduce splashing and enabling gravity to direct excess water from the bathing device down the side of the animal.

The other references of record also have been studied and are not considered relevant to the invention claimed.

It is believed that this application is now in condition for allowance. Passage of this case to issue is believed to be in order and such action is earnestly solicited.

Respectfully submitted,

By: 

Thomas R. Lampe, Reg. No. 22,454
BIELEN, LAMPE & THOEMING
1990 N. California Blvd., Suite 720
Walnut Creek, CA 94596
(925) 937-1515